



SUMMARY RECORD OF THE 64th MEETING

Chairman: Mr. O'DONOVAN (Ireland)

CONTENTS

- AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued)**
- AGENDA ITEM 129: INTERNATIONAL CAMPAIGN AGAINST THE DRUG TRAFFIC (continued)**
- AGENDA ITEM 138: NEW INTERNATIONAL HUMANITARIAN ORDER (continued)**
- AGENDA ITEM 30: INTERNATIONAL YEAR OF DISABLED PERSONS (continued)**
- AGENDA ITEM 88: UNITED NATIONS DECADE FOR WOMEN: EQUALITY, DEVELOPMENT AND PEACE (continued):**
- (a) WORLD CONFERENCE OF THE UNITED NATIONS DECADE FOR WOMEN: REPORT OF THE SECRETARY-GENERAL (continued)**
 - (b) VOLUNTARY FUND FOR THE UNITED NATIONS DECADE FOR WOMEN: REPORTS OF THE SECRETARY-GENERAL (continued)**
 - (c) DRAFT DECLARATION ON THE PARTICIPATION OF WOMEN IN THE STRUGGLE FOR THE STRENGTHENING OF INTERNATIONAL PEACE AND SECURITY AGAINST COLONIALISM, APARTHEID, ALL FORMS OF RACISM AND RACIAL DISCRIMINATION, FOREIGN AGGRESSION, OCCUPATION AND ALL FORMS OF FOREIGN DOMINATION: REPORT OF THE SECRETARY-GENERAL (continued)**

* This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room A-3550, 866 United Nations Plaza (Alcoa Building), and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate fascicle for each Committee.

Distr. GENERAL
A/C.3/36/SR.64
7 December 1981

ORIGINAL: ENGLISH

The meeting was called to order at 3.25 p.m.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/36/3, chaps. II, V, VIII, XIX, XXIII (Parts I and II), XXIV, XXVII, XXVIII, XXXII (Part I and Corr.1 and 2, and Part II), XXXIV (Parts I and II), XXXVI and XXXVII; A/36/61, 117, 136 and Add.1 and Corr.1 (English only), 138, 179, 187, 209 and Add.1, 214, 216 and Add.1, 255, 284, 354, 355, 378, 383, 421 and Corr.1 (English only), 423, 500, 524, 540, 560, 566, 584, 594, 608, 705; A/C.3/36/3, 7 and 10; A/C.3/36/L.5, L.6, L.55, L.59/Rev.1, L.60, L.61, L.62, L.63, L.64, L.66, L.67/Rev.1, L.68, L.69/Rev.1, L.70, L.71, L.72, L.73, L.74, L.75, L.77, L.78, L.81, L.82, L.83)

AGENDA ITEM 129: INTERNATIONAL CAMPAIGN AGAINST THE DRUG TRAFFIC (continued) (A/36/193; A/C.3/36/L.80)

AGENDA ITEM 138: NEW INTERNATIONAL HUMANITARIAN ORDER (continued) (A/36/245; A/C.3/36/L.65)

AGENDA ITEM 30: INTERNATIONAL YEAR OF DISABLED PERSONS (continued) (A/36/471 and Add.1 and 2, 363 and 491; A/C.3/36/L.79)

AGENDA ITEM 88: UNITED NATIONS DECADE FOR WOMEN: EQUALITY, DEVELOPMENT AND PEACE (continued) (A/C.3/36/L.53)

- (a) WORLD CONFERENCE OF THE UNITED NATIONS DECADE FOR WOMEN: REPORT OF THE SECRETARY-GENERAL (continued)
- (b) VOLUNTARY FUND FOR THE UNITED NATIONS DECADE FOR WOMEN: REPORTS OF THE SECRETARY-GENERAL (continued)
- (c) DRAFT DECLARATION ON THE PARTICIPATION OF WOMEN IN THE STRUGGLE FOR THE STRENGTHENING OF INTERNATIONAL PEACE AND SECURITY AND AGAINST COLONIALISM, APARTHEID, ALL FORMS OF RACISM AND RACIAL DISCRIMINATION, FOREIGN AGGRESSION, OCCUPATION AND ALL FORMS OF FOREIGN DOMINATION: REPORT OF THE SECRETARY-GENERAL (continued) (A/C.3/36/L.48/Rev.1, L.84, L.85)

1. Mr. ASANTE (Ghana) said that he wished to draw attention to the first paragraph of the letter addressed to the Secretary-General by the Government of Guatemala, and reproduced in paragraph 11 of the report of the Secretary-General on the situation of human rights and fundamental freedoms in Guatemala (A/36/705).

2. The three basic points made in the letter were, firstly, that the Government of Guatemala was genuinely willing to co-operate with the Secretary-General, secondly, that the proposal to send Dr. Julio Prado Vallejo to Guatemala was unacceptable to that Government, and, thirdly, that the reason for the Government's attitude in that respect was its opinion that contact with the Secretary-General must be established through a member of the United Nations Secretariat and not through a member of the Commission on Human Rights, still less through a member of the Human Rights Committee. Dr. Prado Vallejo was unacceptable solely because of his membership of that Committee, not on any ground of known personal hostility, bias or political persuasion. Indeed, the Government had expressed great respect

(Mr. Asante, Ghana)

for him. There were therefore strong grounds for believing in the Government's willingness to co-operate. In establishing his contacts, the Secretary-General was at liberty to call on the assistance of one of his officers in the Secretariat or of a suitable person from outside: the fact that the second type of assistance had been used in some instances did not detract from the possible role of the Secretariat.

3. The Director-General of ILO had, on a number of occasions, drawn on the services of outside experts to establish contacts on his behalf. UNESCO had followed a similar practice, particularly in its work concerning the world communications media, which had been carried out under the leadership of Mr. Sean MacBride. Similarly, the Secretary-General had discretionary powers under the Charter to call on outside assistance in human-rights and other matters.

4. He proposed preparing a draft decision in which the General Assembly, after taking note of the report of the Secretary-General (A/36/705) and stating that it shared the concern of the Commission on Human Rights at the human-rights situation in Guatemala, would request the Secretary-General to continue his efforts in that respect and appeal to the Government of Guatemala to co-operate with him with a view to restoring human rights and fundamental freedoms in that country. He intended to discuss the matter with a number of delegations, and particularly with the delegation of Guatemala.

5. Mr. ORTIZ SANZ (Bolivia), referring to agenda items 12 and 129, observed that the United Nations had, since its inception, been concerned with the problem of the drug traffic. Extensive political and technical discussions on the issue had had little impact; drug addiction was increasing at such a rate that international measures for its control could not keep pace with it. The deteriorating situation in recent years called for more extensive and firmer measures to deal with the problem. Drug addiction, which affected thousands of families, was itself a serious matter, while the illicit profits reaped by the international underworld from the drug traffic gave rise to bribery, corruption and other problems that affected national communities.

6. While there was no large-scale problem of drug addiction in Bolivia, that country and other countries in the same area were producers of coca leaf, the raw material used in the manufacture of cocaine, whose distribution in the drug-traffic markets in wealthy nations was increasing alarmingly. The criminal traffic was bringing into Bolivia enormous sums of hard currency which fomented corruption, disturbed political order and created in the country a source of wealth for the international underworld.

7. His Government had consistently condemned that situation but had failed to obtain the necessary co-operation. The clandestine manufacture of cocaine and the illicit traffic in the drug had recently assumed catastrophic proportions. His delegation had strongly supported General Assembly resolution 35/195, which had been adopted by consensus. In February 1981, his Government had requested assistance from the Secretary-General, and the Minister for Foreign Affairs had subsequently transmitted to the Secretary-General the text of an appeal urging

(Mr. Ortiz Sanz, Bolivia)

the international community to combat the drug traffic. Further communications had been distributed as official documents of the General Assembly (A/36/179, Annexes I and II, and A/36/284).

8. Meanwhile, his Government had promulgated the necessary legislation for the establishment of an internal customs system to centralize the coca leaf trade. Strict surveillance of coca fields, frontiers, airports and international baggage was being maintained. The results of all those efforts were small, however, in comparison with the extensive damage caused by the money injected into the country by international traffickers.

9. Since a similar situation existed in other countries, and since the true remedy lay in crop substitution and international control of the drug traffic, which could be achieved only through concerted action and with the mobilization of enormous resources, the matter must be discussed with renewed vigour and scientific, technical and policing measures commensurate with the seriousness of the problem must be adopted. His country had therefore proposed that an item entitled "International campaign against the drug traffic" should be placed on the agenda of the current session. He drew the Committee's attention to the explanatory memorandum which had accompanied his Government's note conveying that proposal to the Secretary-General (A/36/193).

10. Since drug addiction was one of the most serious scourges afflicting mankind, particularly young people in the major urban areas of the developed countries, it was the duty of the international community to do everything possible to suppress the illicit traffic. The countries in which the raw materials were produced had socio-economic, legal and political reasons for taking urgent action, which everyone should support. The coca plant was indigenous to a few Andean countries. The primitive peoples of the region had traditionally used the coca leaf as a dietary supplement, and as part of their religious life; since such use was permitted by law, in the same way as the consumption of tea or coffee, and since there were about 1 million consumers among the indigenous population, the fact that vast areas were under cultivation, that thousands of tons were harvested and that there was an active trade providing a means of livelihood for large numbers of people could readily be understood. It would therefore be impossible to prohibit such a complex activity, but substitute crops had to be introduced. His Government had not considered it essential to do away with coca cultivation for traditional and moderate consumption. The harm had begun when cocaine, first used for medical purposes, had joined the list of substances sold in the international criminal trade. Traffickers used the resources obtained from the vice markets in wealthy countries to encourage overproduction of coca, to establish clandestine factories for cocaine manufacture, to organize world transport networks and to establish a powerful traffic through the international underworld. Hundreds of millions of dollars were being injected artificially into the producer countries, distorting their economies, corrupting their control machinery and subjecting them to unjust accusations. It was not the peoples of those countries but powerful international criminal groups that were responsible for such activities. Without the insatiable foreign demand for cocaine, Bolivia would have no drug problem. In that country, 1 kilogram of coca leaf was worth \$US 2, while the same amount transformed into cocaine sold in the United States or in Europe for \$US 1,000. It

(Mr. Ortiz Sanz, Bolivia)

was estimated that 200,000 hectares were under coca cultivation in Bolivia, and that 35,000 tons were produced annually, only 15,000 tons being used for traditional and harmless consumption. The remaining 20,000 tons were used for clandestine cocaine production. That amounted to 20 million kilograms, whose value in cocaine was \$US 20 billion—ten times as much as Bolivia's annual GNP, while the country's entire external debt amounted to \$3 billion. The cocaine traffic constituted a world-wide problem of overwhelming proportions, with a criminal, corrupting and disturbing impact on a number of developing countries. Wealthy countries also had to contend with the problem of drug addiction and with the powerful activities of the crime syndicates, yet they devoted only minimal resources to controlling the problem.

11. At their recent meeting at Melbourne, the leaders of the Commonwealth countries had expressed their concern at the problem of drug abuse and had agreed that there was a clear link between the drug traffic and other forms of organized crime, including the arms traffic, and that such a threat could destabilize societies and nations.

12. In the prevailing climate of terrorism and subversion, one might wonder whether there was perhaps a plot to introduce drug addiction and the drug market into the major democratic communities in order to weaken and corrupt them. As a phenomenon that was less visible but much more deadly than firearms, drug addiction not only must be cured but must be revealed in all its implications. Little progress towards a solution could be made with existing methods or resources. The enormous campaign required could be waged successfully only if carried out by the world community as a whole, with adequate financial and technical resources.

13. During the current year, Bolivia's armed forces had destroyed over 100 clandestine laboratories and burnt nearly 1,000 kilograms of refined cocaine and over 1,000 tons of coca leaf. Hundreds of individuals involved in illegal activities, most of them foreigners, had been arrested and tried. The Government's legal departments had prepared a new and drastic narcotics law strengthening the measures for the control, suppression and punishment of such crimes. The Ministries of Planning and Agriculture were compiling statistics on the extent and geographical location of the cultivated areas and on the volume and economic value of the crops, with a view to introducing a crop-substitution programme. A narcotics expert sent to Bolivia by the United Nations at his Government's request had prepared an important report, whose recommendations the Government would implement firmly and without delay, in consultation with the competent United Nations bodies. He hoped the Secretary-General, who had already sent a mission of inquiry to the country, would speed up the action being taken to send a larger high-level commission to co-operate with the Government, in accordance with the agreement reached between the Secretary-General and the Permanent Mission of Bolivia. A world-wide campaign was needed to save drug-addiction victims, not by establishing rehabilitation clinics but by tackling the evil at its roots and paralysing the international drug traffic. The views of the States most directly concerned would no doubt differ according to the nature of the groups to be controlled and the kind of traffic to be suppressed. There were various international agreements which must be respected, and some communities were more affected by drug addiction than others.

(Mr. Ortiz Sanz, Bolivia)

The economic statistics must be brought up to date and taken into consideration in organizing joint action, in which crop substitution should have the most prominent place.

14. Rather than submitting a separate draft resolution, his delegation had joined in sponsoring draft resolution A/C.3/36/L.77, which he briefly outlined. An international campaign against the drug traffic would require enormous resources over many years, together with broad socio-economic studies to analyse the problem on a regular basis and facilitate the implementation of activities. His delegation commended the draft resolution to the attention of other delegations with a view to taking co-ordinated international action based on documentation and resources available through the United Nations system.

15. In conclusion, he referred to a statement made at a recent plenary meeting by the Bolivian Minister for Foreign Affairs, who had observed that Bolivia's initiative was in the hands of the United Nations and the specialized agencies and had urged the industrialized States in whose major cities the drug demand arose, and whose societies were most seriously affected by the vice, to contribute substantially to the objectives of the campaign.

16. Mr. WALKATE (Netherlands) said that the General Assembly and the Committee had an impressive record of standard-setting activities, the latest being the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, which had been proclaimed by the General Assembly two days earlier. Member States should, of course, go further, since they had a solemn obligation under Article 55 of the Charter to promote "universal respect for, and observance of, human rights and fundamental freedoms for all. His delegation's statement on agenda item 12 was one of the many forms in which his Government sought to discharge that obligation.

17. Speaking out in the Committee and in the Commission on Human Rights was a means, firstly, of showing support and sympathy for the victims of human-rights violations and for the principles they stood for and, secondly, of trying to ensure that the misdeeds of Governments and their accomplices did not go unnoticed. His delegation felt strongly that the attention paid to Governments in the Committee was of concern to them and that the Committee should take advantage of that fact.

18. In his Government's view, United Nations involvement could favourably affect a national situation in general and the fate of individuals in particular. Such bodies as the Committee on the Elimination of Racial Discrimination and the Human Rights Committee were protectors of human rights par excellence and functioned on the basis of treaties to which States Parties had acceded of their own free will. Less formal procedures did not necessarily have to be of lesser value. The supervisory machinery set up by the Commission on Human Rights and by the General Assembly in the recent past in the cases of Chile, El Salvador, Bolivia and Guatemala and the Working Group on Enforced or Involuntary Disappearances should be considered a breakthrough, although at the same time such machinery was precarious when supervision depended on a majority within the constituent body.

(Mr. Walkate, Netherlands)

In discussing human-rights situations in certain countries, his delegation focused on Article 56 of the Charter, whereby all Members had pledged themselves to take joint and separate action in co-operation with the Organization for the promotion of universal respect for, and observance of, human rights and fundamental freedoms. His delegation understood the term "human rights" to imply not only civil and political rights but also economic, social and cultural rights. The fact that he would discuss the situations that existed in some countries and not those in others did not mean that the situations in other countries did not also merit discussion. It merely reflected the dictates of limited time.

19. His delegation had read the report of the Special Rapporteur on the situation of human rights in Chile (A/36/594) with particular concern. It was incomprehensible to many people in the Netherlands that torture still persisted and that the torturers and those responsible for the torturers' crimes were not properly prosecuted. Could it be that the Government of Chile was unwilling to combat torture precisely because it used that practice as a tool to control the people? At any rate, the present political system bore no resemblance whatsoever to the traditional political system — that of a truly parliamentary democracy — which had characterized Chile for many years. Nor did the people of the Netherlands understand why, eight years after a coup d'état, the authorities still needed to impose a "state of emergency". The authorities evidently intended to eliminate political opposition to the junta and were using every means at hand. To make matters even worse, the plebiscite on the adoption of the constitution could not be regarded as an authentic expression of the people's will, owing to the circumstances under which it had been held.

20. While his delegation had noted some positive points in the report, the over-all impression it had derived was that the human-rights situation in Chile had deteriorated somewhat during the past year. The Government and people of the Netherlands appealed to the Government of Chile to consider what steps should be taken in order to bring about the restoration of the human-rights situation and, consequently, the termination of the United Nations involvement.

21. His delegation had read with utter dismay the sad report on the situation of human rights and fundamental freedoms in El Salvador (A/36/608). It seemed that the Salvadorian Government was neither willing nor able to end the full-scale violation of human rights, which included massive killings, abductions and persecutions. As the Netherlands Minister for Foreign Affairs had pointed out during the general debate in the General Assembly, the people of El Salvador was entitled to determine its own future, free from outside interference, but so long as terrorism and violence continued, no free expression of the people's will was possible. The Netherlands felt that the Commission on Human Rights should thoroughly study the report of the Special Representative and should consider, in the light of any new recommendations he might wish to make, what steps it should take to help to secure human rights and fundamental freedoms for all in El Salvador; those steps might include the prolongation of the mandate of the Special Representative.

22. His delegation had taken note with some disappointment of the interim report of the Secretary-General on his contacts with the Government of Guatemala (A/36/705). Information the Committee had received from other sources indicated that the

(Mr. Walkate, Netherlands)

situation was very bad indeed. His delegation sincerely hoped that the Secretary-General would convey the concern of Member States to the Guatemalan Government and would be able to report positively to the Commission on Human Rights, at its thirty-eighth session, on any contacts he might have had with that Government. He was pleased to hear that the delegation of Ghana planned to introduce a draft decision on the subject and hoped that it would be adopted without a vote.

23. Although there had been some developments in Bolivia, the situation in that country did not seem to have changed very much. His delegation looked forward to the report of the Special Envoy of the Commission on Human Rights, who was to make a thorough study of the human rights situation in Bolivia. That report would enable the Commission to see whether there was a need for taking any steps with regard to that country.

24. The human-rights situation in Haiti was also causing his delegation much concern, for the constitutional guarantees protecting individual rights were being suspended by formal emergency legislation resulting in "states of exception". His delegation hoped that the special attention being paid to Haiti under the procedures established pursuant to Economic and Social Council resolution 1503 (XLVIII) would yield some results in the near future.

25. The Committee's attention was also constantly being drawn to frequent violations of human rights in other regions, such as Eastern Europe, especially the Soviet Union and Czechoslovakia, where human rights and fundamental freedoms were consistently violated. The right to disagree with the official policy line was being denied in the Soviet Union. Indeed, in October 1981, the spokesman of a Soviet governmental agency had announced that the dissident movement in that country had been totally eliminated. A similar drive against dissidents was taking place in Czechoslovakia. His Government had on several occasions voiced its concern about such governmental activities, which were clearly in violation of the obligations undertaken under the International Covenant on Civil and Political Rights; the Soviet Union and Czechoslovakia not only were Parties to that Covenant but had been among the first to sign and ratify it.

26. Those and other cases of flagrant violations of human rights were also being discussed within the framework of the Conference on Security and Co-operation in Europe. At the follow-up meeting at Madrid, considerable attention was being paid to the implementation of the Helsinki Final Act, which provided explicitly for respect for human rights and fundamental freedoms. Western proposals on the issue were all aimed at achieving constant and visible progress in the effective exercise of human rights and fundamental freedoms. In particular, emphasis was laid on the need for States to take the necessary action in their respective countries to ensure that the individual was effectively free to express his views and otherwise to know and act upon his rights and duties in that field, including those concerning the implementation of the Helsinki Final Act.

27. Violations of human rights in the countries he had mentioned were obviously a consequence of the ideologies on which the societies of those countries were based. In that respect he recalled resolution 3 (XXXVII) of the Commission on Human Rights, which condemned "all totalitarian or other ideologies and practices,

(Mr. Walkate, Netherlands)

in particular, nazi, fascist and neo-fascist, based on racial or ethnic exclusiveness or intolerance, hatred, terror, systematic denial of human rights and fundamental freedoms, or which have such consequences". That resolution should be the main basis of any follow-up which might be considered during the present General Assembly.

28. There were continuing reports of summary and arbitrary executions in various parts of the world. That obnoxious practice seemed to have become solidly rooted in Iran, where almost 2000 people had been summarily executed. His delegation had been greatly pleased at the decisiveness and speed with which the Third Committee and the General Assembly had acted in adopting, without a vote, a Declaration dealing with religious intolerance and a resolution (resolution 36/22) concerning arbitrary or summary executions. In that connexion, unfortunately, one again saw a country violating the International Covenant on Civil and Political Rights, to which it was a long-time party. The Netherlands also welcomed the action taken by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in adopting a resolution expressing profound concern over the perilous situation facing the Baha'i religious community and drawing the attention of the Commission on Human Rights to that problem. His delegation had taken note with great interest of the work of the Sub-Commission at its most recent meeting. It had noted with pleasure that the Sub-Commission had requested the Commission to establish a working group to keep the plight of the world's indigenous populations under review and to recommend measures to guarantee respect for their human rights and fundamental freedoms. That request should be granted, in order that the working group might start its work as early as possible in 1982. The documentation for that working group should include documents and materials from all relevant sources, including the report of the Fourth Russell Tribunal on Indigenous Populations, which had been held at Rotterdam in 1981.

29. Another noteworthy development in the Sub-Commission was the attention it had given to the question of conscientious objection to military service. A draft resolution on that question had been adopted without a vote. His delegation hoped that the experts who had been asked to analyse the various dimensions of the question and their relationship with the promotion of human rights would soon be able to submit a report to the Sub-Commission.

AGENDA ITEM 79: ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued)

Draft resolution A/C.3/36/L.43/Rev.2

30. Mr. DANOVI (Italy), introducing the revised draft resolution (A/C.3/36/L.43/Rev.2), said that the main modification could be found in the final preambular paragraph, which had been amended in order to take account of the remark made by the representative of Bulgaria. In paragraph 1 the words "with the attention required by the importance of the issue" had been replaced by "with the attention it deserves", and in paragraph 2 the words "the conclusions and recommendations adopted at its thirty-eighth session" had been replaced by "a report on its deliberations and their results". Lastly, paragraph 3 took account

(Mr. Danovi, Italy)

of the suggestion made by the representative of India that when consideration of the question was resumed at the thirty-seventh session of the General Assembly, account should be taken of the views expressed by Member States at the thirty-sixth session. He hoped that the draft resolution could be adopted without a vote.

31. In reply to a question from Mr. RANGACHARI (India), the CHAIRMAN said it was his understanding that draft resolution A/C.3/36/L.43/Rev.1 had been withdrawn.

32. The CHAIRMAN said that if there was no objection he would take it that the Committee wished to adopt draft resolution A/C.3/36/L.43/Rev.2 without a vote.

33. It was so decided.

34. Mr. RANGACHARI (India) said that his delegation had not opposed the adoption of the draft resolution without a vote, since the draft resolution was essentially a procedural one. India's substantive position on the question of the establishment of a post of United Nations High Commissioner for Human Rights was well known. If the draft resolution had been put to the vote, his delegation would have abstained.

35. Mr. MATELJAK (Yugoslavia) said that his delegation had agreed to the adoption of the draft resolution without a vote in a spirit of compromise. However, had the draft resolution been put to the vote, his delegation would have abstained, since it believed that the text still contained some formulations which were prejudicial to some extent to the work of the Commission on Human Rights at its thirty-seventh session.

36. Mrs. KODIKARA (Philippines) said that her delegation had always opposed the establishment of a post of High Commissioner for Human Rights and wished to express its reservations concerning the adoption of draft resolution A/C.3/36/L.43/Rev.2.

37. Mrs. EL-ALI (Syrian Arab Republic) said that although her delegation had joined in the consensus on the draft resolution, it did not support the proposal to establish a post of High Commissioner for Human Rights, as it was convinced that such action would do nothing to further the promotion of human rights. Moreover, there were already bodies within the United Nations that were competent to deal with human rights. Linking the question of human rights to the personality of a high commissioner would increase the bureaucracy of the Organization. Her delegation did not want such a post to be used by some States to interfere in the human-rights situation in other States. The Committee could always ask the Secretary-General to intervene in special cases, as it had done in the past.

38. Mr. GARVALOV (Bulgaria) said that his delegation had agreed to the adoption of draft resolution A/C.3/36/L.43/Rev.2 without a vote because the text contained a number of suggestions which had been made by his delegation during the debate and because the draft resolution was completely procedural and did not give any specific instructions to the Commission on Human Rights. The Commission had been dealing with a number of very important subitems under the item entitled "Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission; alternative

(Mr. Garvalov, Bulgaria)

approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms", and he believed that it would continue to do its work in the future.

39. Mr. DERESSA (Ethiopia) said his delegation had explained its position on the draft resolution earlier in the debate. Had the draft resolution been put to the vote, his delegation would have abstained.

40. Mr. CAPPAGLI (Argentina) said that his delegation had not objected to the adoption of the draft resolution without a vote, on the understanding that it was purely a procedural one.

41. Ms. SLATTERY (Ireland) said her delegation was pleased to see that consensus had been reached on the draft resolution, although it would have preferred a rather stronger resolution. She reaffirmed her delegation's support for the establishment of a post of United Nations High Commissioner for Human Rights and expressed the hope that the question could be considered again in the future.

42. Miss WELLS (Australia) said that her delegation had supported the consensus on draft resolution A/C.3/36/L.43/Rev.2, and she reaffirmed its support for the establishment of a post of High Commissioner for Human Rights. Her delegation interpreted paragraph 1 of the draft resolution, which requested the Commission on Human Rights to consider that question with the attention it deserved, as giving the Commission a mandate to look thoroughly into the question.

43. Mr. BYKOV (Union of Soviet Socialist Republics) said that his delegation had not objected to the adoption of the draft resolution without a vote, since in its present form the draft resolution was purely procedural and contained no recommendations or instructions to the Commission on Human Rights.

44. Like many others, his delegation decisively opposed the idea of establishing a post of High Commissioner for Human Rights, since to do so would, in its view, be harmful and contradictory. As a member of the Commission, his delegation maintained that the Commission was competent to determine its own priorities. Had the draft resolution been put to the vote, his delegation, like many others would have abstained. If the sponsors of the draft resolution had not introduced it at all, the Committee could have considered more timely questions of importance to Member States.

45. Mr. FAREED (Pakistan) said that had the draft resolution been put to a vote, his delegation would have abstained. He thanked the sponsors for revising the draft resolution to make it a procedural one, but he agreed with the USSR representative that a great deal of time could have been saved by earlier action.

46. Mr. MASSOT (Brazil) said that his delegation's views were already well known and had been stated in the debate on agenda item 79. He had joined in the consensus on the assumption that the draft resolution was merely a procedural one.

47. Mrs. KHAN (Bangladesh) said that, while her delegation appreciated the goodwill

(Mrs. Khan, Bangladesh)

and co-operation of the sponsors, its basic view remained the same. It would have abstained in a vote on the draft resolution.

48. Mrs. FLORES (Cuba) said that although she had not opposed the adoption of the draft resolution without a vote, she would have abstained had it been voted on, for reasons which had been made clear in the general debate on the question. The establishment of a post of United Nations High Commissioner for Human Rights was inadvisable.

49. Mr. MAKKI (Oman) said the fact that he had not opposed the adoption of the draft resolution without a vote in no way changed his country's position regarding the establishment of a post of United Nations High Commissioner for Human Rights. There was no need for such a post because the United Nations already had adequate machinery for dealing with human rights matters. He would have abstained in a vote on the draft resolution.

50. Mr. FONT (Spain) said that he had joined in the consensus to adopt the draft resolution because he fully supported the creation of a United Nations High Commissioner for Human Rights and hoped that the post would be established as soon as possible.

51. Miss FRANCO (Portugal) expressed satisfaction that agreement had finally been reached and that it had been possible to adopt the draft resolution without a vote. She would, however, have preferred a stronger resolution because she supported the establishment of a post of United Nations High Commissioner for Human Rights.

52. Mr. TARASYUK (Ukrainian Soviet Socialist Republic) said that his delegation had not raised any objection to the adoption without a vote of the draft resolution in its revised form, but that did not indicate agreement concerning the need to consider the idea contained in it. His delegation had strongly opposed the idea of establishing a post of United Nations High Commissioner for Human Rights in the general debate.

53. Mr. OGURTSOV (Byelorussian Soviet Socialist Republic) said that, in a spirit of co-operation, his delegation had accepted the adoption of the draft resolution without a vote, regarding it as a procedural resolution. However, his delegation had serious objections to the wording of paragraphs 1, 2 and 3. His country's delegation in the Commission on Human Rights had expressed its views when the Commission had considered the question and would do so again at the Commission's next session, in particular concerning the words "with the attention it deserves" in paragraph 1.

54. Mr. PIZA-ESCALANTE (Costa Rica) said that, as the sponsor most involved with drafting the resolution, his delegation wished to express its gratitude to all delegations concerned, especially those who were opposed to the establishment of a post of United Nations High Commissioner for Human Rights but had joined in the consensus. It was important that the Commission on Human Rights had at least been given authority to study the possibility of creating such a post, and he trusted that the question could be pursued at the next session of the General Assembly, after the Commission's views had been received.

55. The CHAIRMAN said that the Committee had now completed its work on agenda item 79.

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/36/3, chaps. II, V, VIII, XIX, XXIII (Parts I and II), XXIV, XXVII, XXVIII, XXXII (Part I and Corr.1 and 2, and Part II), XXXIV (Parts I and II), XXXVI and XXXVII; A/36/61, 117, 136 and Add.1 and Corr.1 (English only), 138, 179, 187, 209 and Add.1, 214, 216 and Add.1, 255, 284, 354, 355, 378, 383, 421 and Corr.1 (English only), 423, 500, 524, 540, 560, 566, 584, 594, 608, 705; A/C.3/36/3, 7 and 10, A/C.3/36/L.5, L.6, L.55, L.59/Rev.1, L.60, L.61, L.62, L.63, L.64, L.66, L.67/Rev.1, L.68, L.69/Rev.1, L.70, L.71, L.72, L.73, L.74, L.75, L.77, L.78, L.81, L.82, L.83)

Draft resolutions A/C.3/36/L.59/Rev.1, L.63, L.66 and L.69/Rev.1

56. Mr. KAMANDA WA KAMANDA (Zaire), introducing the draft resolutions, which referred respectively to refugees in Somalia, Djibouti and the Sudan and displaced persons in Ethiopia, on behalf of the respective sponsors, informed the Committee that Burundi, Cape Verde, Guyana and Lesotho had joined the sponsors of draft resolution A/C.3/36/L.59/Rev.1 and that Democratic Yemen, France, Sierra Leone, Singapore and the United Republic of Tanzania had joined the sponsors of draft resolution A/C.3/36/L.63.

57. The draft resolutions were purely humanitarian, and the problems they were concerned with were not new. Everyone was familiar with the refugee problem from reports by the Secretary-General, the United Nations High Commissioner for Refugees and numerous resolutions adopted by the Economic and Social Council and the General Assembly; the international community had a duty to assist the countries concerned in finding solutions to their short-term and medium-term problems. The refugee situation was particularly serious for many of the developing countries, such as Djibouti, Ethiopia, Somalia, the Sudan and Zaire, whose scanty resources were already being used for development and which were suffering from the effects of the current economic recession. The Economic and Social Council and the General Assembly had repeatedly invited the international community, Governments, non-governmental organizations and voluntary agencies to help those countries, but the response had not been commensurate with the urgency and importance of the problem. It was therefore essential to renew appeals for assistance.

58. He drew attention to an amendment to draft resolution A/C.3/36/L.69/Rev.1: at the end of paragraph 1 the semicolon should be replaced by a comma and the words "concerning assistance to displaced persons in Ethiopia;" should be added.

59. He paid tribute to those countries which had given shelter to displaced persons, despite their own difficulties due to problems such as drought or other natural disasters. He also thanked all delegations concerned for their co-operation in producing a non-controversial draft resolution, which the sponsors trusted would be adopted without debate and by consensus.

Draft resolution A/C.3/36/L.67/Rev.1

60. Mr. MATELJAK (Yugoslavia) introduced draft resolution A/C.3/36/L.67/Rev.1, concerning social aspects of the development activities of the United Nations, on

(Mr. Mateljak, Yugoslavia)

behalf of the sponsors. The Economic and Social Council had deferred until its first regular session of 1982 its discussion of the recommendations in the report of the Ad Hoc Working Group on the social aspects of the development activities of the United Nations, referred to in the second preambular paragraph of the draft resolution and, in the light of paragraph 2, the Committee would be considering the Council's action on the recommendations at the thirty-seventh session of the General Assembly. The draft resolution was a purely procedural one designed to ensure that the Committee's discussion was fruitful. The sponsors trusted that it would be adopted by consensus.

Draft resolution A/C.3/36/L.71

61. Mr. GIUSTETTI (France), introducing on behalf of the sponsors draft resolution A/C.3/36/L.71 on the question of involuntary or enforced disappearances, said that the question was one of profound concern to the international community, which looked to the Commission on Human Rights to take the necessary measures. The action already taken was set forth in the preambular paragraphs, and the draft resolution made it clear that the working group set up by the Commission on Human Rights to examine the question had aroused considerable hope in the international community. In connexion with paragraph 3, he said that it was important not to prejudge the decisions of the Commission on Human Rights, and the Commission had therefore been given a general directive to take any steps it might deem necessary. Accordingly, the sponsors had decided to delete the words "with all due effectiveness" in the penultimate line of paragraph 3, since they were superfluous and might lead to misunderstandings. Paragraph 5 had been drafted with due regard to the fact that the problem was complex and persistent and gave rise to a considerable volume of information which had to be analysed.

62. The draft resolution took account of the main points of concern brought to the attention of the sponsors, and they hoped that it would be adopted without a vote.

Draft resolution A/C.3/36/L.74

63. Mr. CORTI (Argentina), introducing draft resolution A/C.3/36/L.74 on behalf of the sponsors, drew attention to the following amendments: in the last preambular paragraph, the word "hazardous" should be inserted after "restricted" at the end of the first line; and paragraph 7 should be revised to read "Invites Member States to deal with this subject through appropriate means, including possible legislation at national levels, where they do not yet exist;". In connexion with paragraph 5, it was essential that information on hazardous chemicals and unsafe pharmaceutical products should be clearly understood by farmers, housewives and everyone else literate or illiterate, who used them so that they would realize the dangers.

64. The draft resolution was of particular interest to developing countries, but the need to clear up the confusion and lack of information on the subject was a matter of interest to all the inhabitants of the world. The sponsors hoped that the draft resolution would be adopted without a vote.

Draft resolution A/C.3/36/L.75

65. Mr. AHLANDER (Sweden) said his delegation believed that the draft declaration contained in document A/C.3/36/L.75 deserved careful consideration by the Committee; it had been drafted in consultation with a number of other delegations. The draft resolution provided for inclusion of an item relating to the draft declaration in the agenda of the General Assembly at its thirty-seventh session. That item could well be discussed in the Sixth Committee because it entailed clear legal aspects and because the over-all workload of that Committee offered better prospects for an early and thorough discussion than the time available to the Third Committee could permit. His delegation had, however, left open the question how the Sixth Committee could deal with the matter.

Draft resolution A/C.3/36/L.65

66. Mr. NUSEIBEH (Jordan) recalled that at the 56th meeting his delegation had presented a general outline of the concept of a new international humanitarian order which had been proposed earlier on by Crown Prince Hassan of Jordan. His delegation had received several comments and proposals from Member States on the draft resolution it had introduced at that time. It hoped that the draft resolution, which had taken full account of the suggestions of Member States, would be adopted by consensus, since it cut across all ideologies, regional-group loyalties and other considerations and would help to bring about a better and more humane world.

67. The CHAIRMAN said that there was one document pending under agenda item 88, namely, document A/C.3/36/L.48/Rev.2; in addition, there were amendments by Pakistan (A/C.3/36/L.84), Australia and New Zealand (A/C.3/36/L.85) and the United States (A/C.3/36/L.86).

Draft resolution A/C.3/36/L.48/Rev.2

68. Mr. SCHLEGEL (German Democratic Republic) said that the sponsors had tried to incorporate most of the amendments submitted by Australia, Pakistan and Morocco. The sponsors had acted in good faith and hoped that the amended text, which constituted a compromise reached among 30 sponsors, would satisfy all the delegations concerned. Although there had been no time to study the proposals submitted by the United States delegation (A/C.3/36/L.86), the main ideas proposed by the United States were already reflected in document A/C.3/36/L.48/Rev.2. He appealed to the representative of the United States not to insist on adding more amendments. The sponsors felt that the draft, as it stood, was balanced and should be acceptable to all delegations.

69. The CHAIRMAN said that document A/C.3/36/L.48/Rev.2 would be available in all languages on Monday, 30 November 1981.

70. Mr. FAREED (Pakistan) expressed his delegation's appreciation to the representative of the German Democratic Republic for trying to accommodate some of the amendments his delegation had proposed. The incorporation of some of those points had considerably strengthened and improved the text of the draft. He appreciated the difficulties of some of the sponsors. His delegation would reserve for Monday, 30 November, its detailed comments with respect to the amendments.

71. Ms. FAWTHORPE (New Zealand) drew the Committee's attention to the fact that New Zealand, as a full sponsor of the amendments proposed in document A/C.3/36/L.85, fully supported them together with Australia. Her delegation was not yet in a position to give a clear indication of its official reaction to the extensive changes that had been made in the text. Since the text which the Committee would consider on Monday would be rather different from the one originally presented, her delegation would need time to take a carefully measured stand on it. She hoped to be able to make that stand clear by Monday.

72. Mr. JOHNSON (United States of America) said that his delegation's position from the outset had been that the draft declaration contained in document A/C.3/36/L.48 needed radical surgery. Several of the ideas not incorporated by the sponsors were of great importance to his delegation and to other delegations. Those particular omissions would be a subject for further consultations or debate in the Committee. The amendments which his delegation had proposed in document A/C.3/36/L.86 were substantial; contrary to what the representative of the German Democratic Republic had said, they were not covered by the changes included in the newest revised version (A/C.3/36/L.48/Rev.2) and consequently would have to be considered on Monday. He requested the representative of the German Democratic Republic and the other sponsors to read carefully the United States proposals with regard to the need to balance the text, for it seemed to his delegation that they had missed the point. The Committee was dealing with a draft declaration, whereas the procedure that had been followed was more suitable for a draft resolution. His delegation would be prepared to discuss document A/C.3/36/L.86 on Monday and explain why the various amendments were necessary or why the draft declaration should be dealt with in another form.

73. Ms. BROŠŇÁKOVÁ (Czechoslovakia) said that, in his statement, the representative of the Netherlands had attacked her country with respect to human rights violations. In her country, no one was persecuted for political reasons. Czechoslovakia, like any other sovereign State, had the right to prosecute its citizens for violating the penal code or any laws of the land. Some Western countries had for many years been following with particular attention every step of some individuals in her country and were organizing provocative campaigns with a view to discrediting Czechoslovakia's socialist system. Such an attitude was not in keeping with the letter and spirit of the Charter of the United Nations and the Final Act of the Helsinki Conference.

The meeting rose at 6.25 p.m.